

**Proposed Substitute  
Bill No. 6897**

LCO No. 4757

**AN ACT CONCERNING THE APPLICATION OF PESTICIDES AT  
STATE-OPERATED PARKS, ATHLETIC FIELDS AND  
PLAYGROUNDS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-231a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 As used in sections 10-231b to 10-231d, inclusive, [and section 19a-  
4 79a] and section 2 of this act, (1) "pesticide" means a fungicide used on  
5 plants, an insecticide, a herbicide or a rodenticide, but does not mean a  
6 sanitizer, disinfectant, antimicrobial agent or pesticide bait in a  
7 tamper-resistant container, (2) "lawn care pesticide" means a pesticide  
8 registered by the United States Environmental Protection Agency and  
9 labeled pursuant to the federal Insecticide, Fungicide and Rodenticide  
10 Act for use in lawn, garden and ornamental sites or areas, [and] but  
11 shall not include any: (A) Microbial pesticide or biochemical pesticide  
12 that is registered with the United States Environmental Protection  
13 Agency, (B) horticultural soap or oil that is registered with the United  
14 States Environmental Protection Agency, and that does not contain any  
15 synthetic pesticide or synergist, (C) a pesticide classified by the United  
16 States Environmental Protection Agency as an exempt material under  
17 40 CFR 152.25, or (D) grub control product that is registered with the

18 United States Environmental Protection Agency that does not contain a  
19 signal label with a caution, warning or danger indication and, except  
20 for such pesticides described in subparagraphs (A) and (C) of this  
21 subdivision, is subject to the restrictions in section 10-231b for an  
22 emergency application of a lawn care pesticide, (3) "integrated pest  
23 management" means use of all available pest control techniques,  
24 including judicious use of pesticides, when warranted, to maintain a  
25 pest population at or below an acceptable level, while decreasing the  
26 use of pesticides, (4) "microbial pesticide" means a pesticide that  
27 consists of a microorganism as the active ingredient, and (5)  
28 "biochemical pesticide" means a naturally occurring substance that  
29 controls pests by nontoxic mechanisms.

30       Sec. 2. (NEW) (*Effective October 1, 2015*) (a) As used in this section:

31       (1) "Certified pesticide applicator" means a pesticide applicator with  
32 (A) supervisory certification under section 22a-54 of the general  
33 statutes, or (B) operational certification under section 22a-54 of the  
34 general statutes if such pesticide applicator operates under the direct  
35 supervision of a pesticide applicator with said supervisory  
36 certification;

37       (2) "Controlling authority" means the executive head of any state  
38 department responsible for the maintenance of any state-operated  
39 park, state-operated athletic field or state-operated playground, other  
40 than a playground located on the premises of a school or such person's  
41 designee; and

42       (3) "Athletic field" means any field or open space used for sporting  
43 or sporting-related activities, but does not include a golf course or any  
44 such field or open space located on the premises of a school, college or  
45 university or that is used for professional sporting or sporting-related  
46 activities.

47       (b) (1) No person shall apply pesticide or lawn care pesticide within  
48 any state-operated park, state-operated athletic field or state-operated  
49 playground, other than a playground located on the premises of a

50 school, except a certified pesticide applicator may make an emergency  
51 application of pesticide or lawn care pesticide to eliminate an  
52 immediate threat to human health, as determined by the  
53 Commissioner of Public Health or the Commissioner of Energy and  
54 Environmental Protection, including, but not limited to, the  
55 elimination of mosquitoes, ticks and stinging insects, provided such  
56 emergency application of pesticide or lawn care pesticide does not  
57 involve a restricted use pesticide, as defined in section 22a-47 of the  
58 general statutes.

59 (2) Notwithstanding the provisions of subdivision (1) of this  
60 subsection, on and after July 1, 2015, and until July 1, 2017, a certified  
61 pesticide applicator may apply lawn care pesticide at any state-  
62 operated athletic field to transition to nontoxic care, provided such  
63 lawn care pesticide is applied pursuant to an integrated pest  
64 management plan that shall be consistent with a model pest control  
65 management plan developed by the Commissioner of Energy and  
66 Environmental Protection pursuant to section 22a-66l of the general  
67 statutes.

68 (c) Prior to any application of pesticide or lawn care pesticide within  
69 any state-operated park, state-operated athletic field or state-operated  
70 playground, other than a playground located on the premises of a  
71 school, the controlling authority shall, within the existing budgetary  
72 resources available to the controlling authority, provide public notice  
73 of such application not fewer than twenty-four hours prior to such  
74 application of pesticide or lawn care pesticide. Such public notice shall  
75 be posted on the premises of such state-operated park, state-operated  
76 athletic field or state-operated playground, and on any Internet web  
77 site operated by such controlling authority. If a controlling authority  
78 determines an emergency application of pesticide or lawn care  
79 pesticide is necessary pursuant to subdivision (1) of subsection (b) of  
80 this section, such notice shall be given as soon as practicable. Notice  
81 under this subsection shall include (1) the name of the active  
82 ingredient of the pesticide or lawn care pesticide being applied, (2) the  
83 target pest, (3) the location of the application of pesticide or lawn care

84 pesticide on the grounds of such state-operated park, state-operated  
85 athletic field or state-operated playground, and (4) the date or  
86 proposed date of the application of pesticide or lawn care pesticide. A  
87 copy of each notice of such application of pesticide or lawn care  
88 pesticide at such state-operated park, state-operated athletic field or  
89 state-operated playground shall be maintained by the controlling  
90 authority for a period of five years from the date of application of the  
91 pesticide or lawn care pesticide and shall be made available to  
92 members of the public at an easily accessible location.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-231a
Sec. 2	<i>October 1, 2015</i>	New section

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Sec. 2	<i>October 1, 2015</i>	New section